



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

**OFFICE OF PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES**

MEMORANDUM

SUBJECT: Not Likely to Adversely Affect Determination for Atrazine Relative to the Endangered Barton Springs Salamander

FROM: Anita Pease */original signed by Anita Pease August 22, 2006/*
ERB III
Environmental Fate and Effects Division

TO: Arthur-Jean B. Williams, Associate Director
Environmental Fate and Effects Division

Attached is the assessment of potential effects to the endangered Barton Springs salamander from uses of the herbicide atrazine. While the Endangered Species Act requires we assess uses of pesticides relative to any potentially affected listed species, this assessment focuses only on the Barton Springs salamander, addressing provisions of two settlement agreements entered into by the federal government to resolve claims made by plaintiffs against EPA in two court cases (CBD v. EPA¹ and NRDC v. EPA²).

The attached assessment was conducted consistent with the Agency's Overview Document³ and results in my determination that uses of atrazine are not likely to adversely affect (NLAA) the Barton Springs salamander either directly or indirectly. As required by the Alternative Consultation Agreement EPA entered into with the US Fish and Wildlife Service and National Marine Fisheries Service (Services), I have been trained by the Services to make such determinations. Additionally, this assessment was subjected to internal Agency peer review throughout its development. The review panel included three other scientists who have been trained by the Services to make NLAA determinations (Dr. Thomas Steeger, Edward Odenkirchen and Melissa Panger).

Please let me know if you have any questions regarding this assessment and effects determination for atrazine relative to the Barton Springs salamander.

cc: Steven Bradbury
Debbie Edwards

Attachment

¹ Settlement agreement of August 22, 2005: Center for Biological Diversity v. Stephen L. Johnson, et.al. No. 1:04-cv-00126-CKK.

² Settlement agreement of March 28, 2006: Natural Resources Defense Council v. United States Environmental Protection Agency. Civ. No: 03-CV-02444 RDB.

³ Overview of the Ecological Risk Assessment: Process in the Office of Pesticide Programs, U.S. Environmental Protection Agency: Endangered and Threatened Species Effects Determinations: January 23, 2004.